

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ADRIENNE BENSON, *et al.*,

Plaintiffs,

v.

DOUBLE DOWN INTERACTIVE, LLC, *et al.*,

Defendants.

Cause No. C18-0525RSL

ORDER COMPELLING
PRODUCTION IN RESPONSE TO
RFP NO. 26

This matter comes before the Court on plaintiffs’ “Motion to Compel Production of Documents Responsive to Plaintiffs’ RFP No. 26.” Dkt. # 244. Plaintiffs seek communications “sent to or from a VIP Host that contain any Addiction Phrases,” defined to include the words or phrases “addict*, continuous gaming activity, false win*, gambl*, hook*, hook, return to player, red flag*, rtp, time on device, tod, pressur*, retain*, retention*, sticky, stickiness, and whale*.” Dkt. # 212-1 at 3 and 14. Double Down has abandoned the many objections asserted in response to this request for production, instead arguing that its oft-repeated promise to search for and, if appropriate, produce responsive non-privileged communications “subject to agreed-upon search terms and custodians” means that there is nothing to compel. Dkt. # 261 at 2.

For the reasons set forth in the Court’s Order Compelling Production in Response to RFP

ORDER COMPELLING PRODUCTION
IN RESPONSE TO RFP NO. 26 - 1

1 No. 14, Double Down is incorrect. Plaintiff's motion to compel (Dkt. # 244) is GRANTED.
2 Double Down shall produce documents in response to RFP No. 26 within fourteen days of the
3 date of this Order. If any documents are withheld on the grounds of privilege, a privilege log
4 shall be produced sufficient to allow plaintiffs and the Court to evaluate whether the claimed
5 privilege applies.
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8 Dated this 19th day of July, 2021.

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10 Robert S. Lasnik
11 United States District Judge
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